

State of California  
AIR RESOURCES BOARD

Executive Order G-99-009

WHEREAS, on May 21, and August 27, 1998 the Air Resources Board (the Board or ARB) conducted hearings to consider adoption, amendment and repeal of regulations for certifying and testing of gasoline vapor recovery systems installed at gasoline marketing operations (service stations and novel facilities (dispenses gasoline to vehicles in a non-traditional manner)), gasoline storage and distribution facilities (bulk plants and terminals), and transfer operations (cargo tanks which are vehicles used to transport gasoline);

WHEREAS, following the public hearing on August 27, 1998, the Board adopted Resolution 98-27, by which the Board approved the regulatory amendments set forth in Attachment 1 thereto, which included staff's proposed modifications to the regulatory text set forth in Attachment 2;

WHEREAS, Attachment 1 to Resolution 98-27 contained the amendments to sections 94010, 94011, 94012, 94013, 94014, 94015, 94150, 94156, 94157, 94158, 94159, and 94160 of, and addition of section 941562 to, title 17, California Code of Regulations, as approved by the Board;

WHEREAS, Attachment 2 to Resolution 98-27 contained the modifications to the Vapor Recovery Certification and Test Procedures, D-200, TP-201.1A, TP-201.3, CP-202, TP-202.1, CP-203, TP-203.1, CP-204, TP-204.1, TP-204.3, CP-205, TP-205.1, TP-205.2, and TP-201.3C, as suggested by staff and as directed by the Board.

WHEREAS, Resolution 98-27 directed the Executive Officer to incorporate into the approved amendments the modifications described in Attachment 2 thereto, with such other conforming modifications as may be appropriate, to make the modified regulatory language available to the public for a supplemental 15-day comment period, and thereafter either to adopt the approved amendments with such additional modifications as may be appropriate in light of supplemental comments received, or to present the amendments to the Board for further consideration if warranted in light of supplemental written comments received;

WHEREAS, the Board-approved modifications to the originally proposed text were made available for a supplemental 15-day comment period, in accordance with the provisions of Title 1, California Code of Regulations, section 44, with the modifications clearly indicated;

WHEREAS, comments were received during the supplemental comment periods, and all comments have been considered by the Executive Officer; and

WHEREAS, Attachment A hereto contains the text of the amendments to sections 94010, 94011, 94012, 94013, 94014, 94015, 94150, 94156, 94157, 94158, 94159, and 94160 of, and addition of section 94162 to, title 17, California Code of Regulations, and the Vapor Recovery Certification and Test Procedures, D-200, TP-201.1A, TP-201.3, CP-202, TP-202.1, CP-203, TP-203.1, CP-204, TP-204.1, TP-204.3, CP-205, TP-205.1, TP-205.2, and TP-201.3C and incorporates the modifications made available for the 15-day supplemental comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 98-27 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 98-27 and Health and Safety Code sections 39515 and 39516, that the amendments to sections 94010, 94011, 94012, 94013, 94014, 94015, 94150, 94156, 94157, 94158, 94159, and 94160 of, and addition of section 94162 to, title 17, California Code of Regulations, and the Vapor Recovery Certification and Test Procedures, D-200, TP-201.1A, TP-201.3, CP-202, TP-202.1, CP-203, TP-203.1, CP-204, TP-204.1, TP-204.3, CP-205, TP-205.1, TP-205.2, and TP-201.3C are hereby adopted as set forth in Attachment A hereto.

Executed this \_\_\_\_\_ day of March, 1999, at Sacramento, California.

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Michael P. Kenny  
Executive Officer

Attachment